

REMARKS

Serial No. 10/020,830

Favorable consideration of the present application, as amended, is respectfully solicited.

It is believed that the rejection of claims 2 and 8 under 35 USC 112 has been overcome by changing the phrase "synthetic-type" to "synthetic".

It is respectfully submitted that claims 1-5, 7-11, 13 and 14 define patentably over Cohen on which they were rejected under 35 USC 102(b). All of these claims are directed to or include a liquid water absorbing mixture of a wax containing a superabsorbent and a channeling agent. The wax prevents **water vapor** from contacting the superabsorbent, as set forth in applicant's specification on page 2, lines 24-26, but the wax contains a channeling agent which conducts **liquid water** to the superabsorbent when the wax is exposed to liquid water (specification page 2, lines 26-29). The Cohen patent does not have a liquid water absorbing mixture of a wax containing a superabsorbent and a channeling agent. It is directed to a fibrous composite structure. In the rejection the Examiner stated of the Cohen patent "Waxes are also included in the matrix (col 3, in 49)." However, in column 3, lines 49 et seq. of Cohen it is specifically stated "As used herein, the term 'consisting essentially of' does not exclude the presence of additional materials which do not significantly affect the desired characteristics of a given composition or product. Exemplary materials of this sort would include, without limitation ... waxes ..." Thus, the wax of the Cohen

product is something which is a minor incidental addition to the fibrous composite; it is not a major component which contains the superabsorbent and a channeling agent, as now claimed in claims 1-5, 7-11, 13 and 14.

It is submitted that claims 6 and 12, which are dependent on claims 5 and 11, respectively, are patentable for the same reasons as their parent claims. In the rejection the Examiner stated "It should be noted that adding materials such as the superabsorbent material, the wax, or the channeling agent are result effective variables." It is submitted that this is not the case in the present situation, as stated above, because applicants' claimed wax, as compared to the wax mentioned in the Cohen patent, is not a result effective variable. It is a component which functions in an entirely different manner than the incidental wax of Cohen. Accordingly, withdrawal of the rejection of claims 6 and 12 is respectfully solicited.

Claims 15-19 have been added by the present amendment, and it is submitted that they define patentably over Cohen. Claim 15 is directed to a liquid water absorbing mixture containing a superabsorbent encapsulated in a wax having a channeling agent therein. Claim 16 is directed to a liquid water absorbing mixture comprising a liquid water absorbing compound encapsulated in a wax having a channeling agent therein. Claim 17 is directed to a liquid water absorbing product comprising a porous member containing a superabsorbent encapsulated in a wax having a

channeling agent therein. Claim 18 is directed to a liquid water absorbing product comprising a porous member containing a liquid water absorbing compound encapsulated in a wax having a channeling agent therein. The basis for the "liquid water absorbing compound" of claims 16 and 18 is in the first paragraph on page 4 of the specification. Also, claims 16 and 18 specifically recite that the liquid water absorbent compound is encapsulated in a wax. This teaching is absent from Cohen wherein the mentioned wax is an incidental item which does not significantly affect the desired characteristics of the Cohen product, as essentially set forth in column 3, lines 45 et seq. of the Cohen patent. Claim 19 presents applicants' mixture in "means plus function" format, and it is submitted that Cohen does not teach the functions of applicants' components.

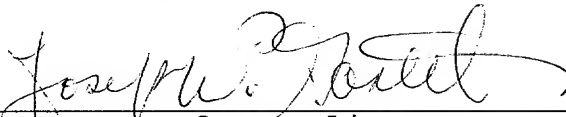
In view of the foregoing remarks favorable consideration and allowance of claims 1-19 are respectfully solicited.

A check in the amount of \$168 is transmitted herewith in payment for the four additional independent claims in excess of three submitted with this amendment. Any deficiency may be charged to Account No. 07-0450 of the undersigned.

Respectfully submitted,

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